

**United States District Court**

for the

**Eastern District of Washington**

APR 08 2009

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: James Paul Saban

Case Number: 2:09CR0040-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 3/4/2003

Type of Supervision: Supervised Release

Original Offense: Conspiracy to Launder Money, 18  
U.S.C. § 1956(a)(1)(B)(1)

Date Supervision Commenced: 3/9/2009

Original Sentence: Prison - 115 Months; TSR - 36  
Months

Date Supervision Expires: 3/8/2012

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 19 You shall abstain from alcohol and illicit substances and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

**CAUSE**

The purpose of this petition is to apprise the Court of the status of the aforementioned case, in light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9<sup>th</sup> Cir. 2005), and to request that the conditions of supervision be modified to authorize a maximum of six random drug tests per month.

James Saban was asked whether he would waive his right to a hearing and agree to the modifications as previously described. As indicated by the enclosed Waiver of Hearing to Modify Conditions of Supervised Release form, Mr. Saban has agreed to the proposed modifications.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 4-7-09



Tommy Rosser  
U.S. Probation Officer

Prob 12B

**Re: Saban, James Paul**

**April 3, 2009**

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THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

Fred Van Bickle

Signature of Judicial Officer

April 8, 2009

Date